

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)	Bankr. No. 19-23468 GLT
SHANDA K. WELSH,)	
)	
Debtor.)	Chapter 13
)	
SHANDA K. WELSH,)	
)	Docket No. 80
Movant,)	Related to Docket 77, 78
)	
vs.)	
)	Hearing Date & Time: 9/11/2024 at 10:00 a.m.
NO RESPONDENTS.)	

**DEBTOR'S RESPONSE TO TRUSTEE'S
MOTION TO DISMISS CASE WITH PREJUDICE**

AND NOW COMES, the Debtor, Shanda K. Welsh, by and through her attorney Rodney D. Shepherd, who respectfully represents the following:

1. Admitted. It is admitted that the Debtor's case is in arrears and the required amount to complete the plan is a sizeable amount that would not allow the Debtor to complete the plan. Debtor wishes to have this case dismissed and to file a new case to be able to pay the unsecured creditors in full.

2. Admitted. Debtor's counsel disclosed all information from the Estate that was provided by the attorney handling the Estate.

3. Admitted.

4. Admitted. Debtor's counsel informed the Debtor of her monetary obligation. However, Debtor insisted that she could not afford to increase her payment anymore. Debtor's counsel also made the Debtor aware that by not paying the increased amount that her case would most likely come up short and she would not be able to complete the Plan.

5. Denied. It is Debtor's intention to file a new Chapter 13 and to pay unsecured creditors a 100% distribution. Therefore, no creditors will be prejudiced.

6. Admitted in part, Denied in part. It is only admitted that the Debtor wishes to file a new Chapter 13 in order to pay the unsecured creditors in full. It is denied that the Debtor has not acted in good faith since all creditors are being paid in full.

7. Admitted. Debtor prays that this Honorable Court would allow her to file a new Chapter 13 to allow all creditors to be paid in full.

8. Denied. Pursuant to the Trustee's statement in Paragraph 6 it is the Debtor's desire to refile a Chapter 13 to allow the creditors to be paid in full.

WHEREFORE, the Debtor respectfully prays that the Court deny the Trustee's Motion to Dismiss her bankruptcy case and allow her to file a new case.

Respectfully submitted,
/s/ Rodney D. Shepherd
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CERTIFICATE OF SERVICE

I, Rodney D. Shepherd, attorney for the Debtor hereby certifies that a true and correct copy of the Debtor's Response to the Trustee's Motion to Dismiss Case was served on the 19th day of August 2024, by electronic filing, upon the following:

Owen W. Katz, Esquire
Office of the Chapter 13 Trustee
okatz@chapter13trusteedpa.com

By: /s/ Rodney D. Shepherd
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